



SOCO

JCO7 Rec'd PCT/PTO 31 JAN 2002

PATENT  
0649-0777P

DUPLICATE

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: SAITO, Akira et al  
APPLICATION NO.: 09/856,845 GROUP:  
FILED: May 25, 2001 EXAMINER:  
FOR: RUBBER COMPOSITIONS

LETTER SUBMITTING SUBSTITUTE COPY OF  
COMBINED DECLARATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 22031

January 31, 2002

Sir:

At the time of perfecting the filing of the above-identified application on October 29, 2001, due to a clerical error, the signature pages of the Combined Declaration and Power of Attorney and Assignment forms were inadvertently switched. The undersigned became aware of this error upon receipt of the Notice of Recordation of Assignment Document wherein it was discovered that the PTO returned the front page of the Assignment form and the signature page of the Combined Declaration and Power of Attorney form.

Therefore, attached hereto is a substitute copy of the Combined Declaration and Power of Attorney form which was originally filed in the PTO on October 29, 2001. The PTO is requested to make this substitute copy of record in the present application. Also attached hereto is a copy of the stamped postcard acknowledging receipt of the Combined Declaration and Power of Attorney by the PTO on October 29, 2001. In view of the

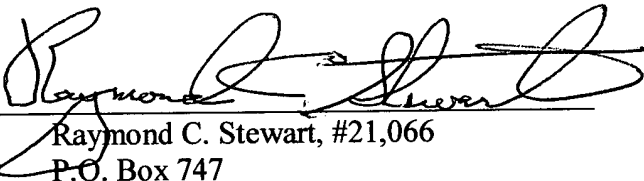
above, it is believed that the undersigned made a diligent effort to timely submit the Combined Declaration and Power of Attorney.

Your prompt attention to this matter is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066  
P.O. Box 747  
Falls Church, VA 22040-0747

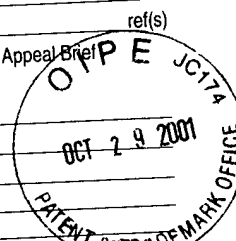
RCS/slk

Attachment: Substitute copy of Combined Declaration and Power of Attorney

Papers Filed herewith on: October 29, 2001  
DOCKET NO.: 0649-0777P ATTY.: RCS/REG  
APPLICANT(S): AKIRA SAITO et al.  
APPLN. NO: 09/856,845 FILED: May 25, 2001  
PAT NO.: \_\_\_\_\_

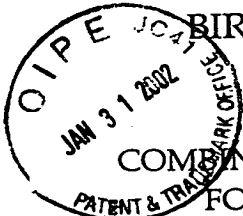
- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☒ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_ ref(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

DOCKET NO. 0649-0777P



Receipt is hereby acknowledged of the papers and fees  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: October 27, 2001  
Handcarry: \_\_\_\_\_

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING



# BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

RUBBER COMPOSITIONS

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on May 25, 2001 as  
United States Application Number 09/856,845  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on September 26, 2000 as PCT  
International Application Number PCT/IP00/06600 and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

Insert Priority  
Information:  
(if appropriate)

11-272070  
(Number)

Japan  
(Country)

September 27, 1999  
(Month/Day/Year Filed)

☒ Yes ☐ No

11-272090  
(Number)

Japan  
(Country)

September 27, 1999  
(Month/Day/Year Filed)

☒ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Month/Day/Year Filed)

☐ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Month/Day/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

Insert Requested  
Information:  
(if appropriate)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

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Joe McKinney Muncy  
John W. Bailey  
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(Reg. No. 21,066)  
(Reg. No. 22,463)  
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(Reg. No. 29,271)  
(Reg. No. 30,330)  
(Reg. No. 32,868)  
(Reg. No. 32,334)  
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(Reg. No. 29,680)  
(Reg. No. 28,977)  
(Reg. No. 32,644)  
(Reg. No. 32,181)  
(Reg. No. 34,313)  
(Reg. No. 35,094)

Send Correspondence to:

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Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

or Customer No. 2292

**PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

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Residence (City, State & Country) Yokohama-shi, Kanagawa JAPAN		CITIZENSHIP Japanese	
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GIVEN NAME/FAMILY NAME Nobuaki KUBO		INVENTOR'S SIGNATURE <i>Nobuaki Kubo</i>	DATE* October 1, 2001
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GIVEN NAME/FAMILY NAME Yasunobu NAKAFUTAMI (Deceased) ; Hiromi NAKAFUTAMI (widow and legal representative of Yasunobu NAKAFUTAMI)		INVENTOR'S SIGNATURE FOR Yasunobu NAKAFUTAMI <i>Hiromi Nakafutami</i> (Legal Representative)	DATE* October 1, 2001
Residence (City, State & Country) Kawasaki-shi, Kanagawa JAPAN		CITIZENSHIP Japanese	
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